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Attorneys for Defendants UNITED AGRI PRODUCTS, INC., and UAP DISTRIBUTION, INC.

**UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION**

KEN KUNZLER

Case No. C 07-03555 EMC

Plaintiff,

**STIPULATION AND ~~[PROPOSED]~~
 ORDER SELECTING ADR PROCESS**

v.

UNITED AGRI PRODUCTS, INC., UAP
 DISTRIBUTION, INC., and DOES 1 through
 25, inclusive

Removal Filed: July 10, 2007
 Trial Date: None Set

Defendants.

Counsel report that they have met and conferred regarding ADR, and have reached the following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:

The parties agree to participate in the following ADR process:

Court Processes:

- ☐ Non-binding Arbitration (ADR L.R. 4)
☐ Early Neutral Evaluation (ENE) (ADR L.R. 5)
☒ Mediation (ADR L.R. 6)

(Note: Parties who believe that an early settlement conference with a Magistrate Judge is appreciably more likely to meet their needs than any other form of ADR, must participate in an

1 ADR phone conference and may not file this form. They must instead file a Notice of Need for
2 ADR Phone Conference. See Civil Local Rule 16-8 and ADR L.R. 3-5)

3 **Private Process:**

4 ☐ Private ADR (please identify process and provider) _____

5 The parties agree to hold the ADR session by:

6 ☒ The presumptive deadline (The deadline is 90 days from the date of the Order
7 referring the case to an ADR process, unless otherwise ordered).

8 ☐ Other requested deadline _____

9
10 Dated: September 26, 2007

/s/ Thomas S. Brigham (with consent)

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14 **ATTORNEY FOR PLAINTIFFS**

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16 Dated: September 26, 2007

/s/ Ross W. Johnson

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22 * admitted *pro hac vice*

23 - and -

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1 ~~[PROPOSED]~~ ORDER

2 Pursuant to the Stipulation above, the captioned matter is hereby referred to:

3 ☐ Private ADR

4 ☐ Deadline for ADR session:

5 ☒ ^{Completion of ADR}
90 days from the date of this Order

6 ☐ Other

7 IT IS SO ORDERED.

8 Dated: 9/28/07



UNITED STATES MAGISTRATE JUDGE